



## Needham Public Health Department

1471 Highland Avenue, Needham, MA 02492 781-455-7500 ext. 511  
www.needhamma.gov/health 781-455-0892 (fax)



### Well Application

#### Applicant information:

Name of property owner(s) \_\_\_\_\_

Location of Property \_\_\_\_\_, Needham, MA \_\_\_\_\_

[Mailing Address if different \_\_\_\_\_]

Telephone (h) \_\_\_\_\_, (w) \_\_\_\_\_, (cell) \_\_\_\_\_

Is there a septic system located on the property? Y N (If yes, please note on plot plan submitted.)

#### Well information:

Purpose of well [ ] Irrigation [ ] Potable [ ] Geothermal [ ] Monitoring Well\*  
(\*if not being overseen by the Department of Environmental Protection)

Proposed Depth of Well \_\_\_\_\_ feet Well Driller's Name: \_\_\_\_\_

Well Driller's Co. Name/Address \_\_\_\_\_

Well Driller's Telephone No. ( ) \_\_\_\_\_ Driller's Name/MA License No. \_\_\_\_\_  
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#### Please check off the following requirements, with the agreement that each is done:

- [ ] Please **attach a stamped plot plan** showing the location of the proposed well in relation to the home, barn or other structures, septic system, underground storage tanks (USTs), roadway, drains, wetlands, and sewer lines. **Scale 1 inch = 40 feet (NOTE: An informal plan is NOT acceptable for a new well.)**
- [ ] It is designated on your plan where the water line is located leading from the well to whatever connection is being made. You must note all other existing utilities in the area of the well and along the path of the water line, **including** the electric and/or control cable that leads from the well.
- [ ] You certify the this well, and the work associated with the well, is NOT within a wetland and/or a wetland buffer zone, and it's not in the jurisdiction of the Conservation Commission.
- [ ] You have dropped off or mailed copies of your well application to the following people from the Town Departments listed below:
- Town Water and Sewer Dept.
  - Town Water and Sewer Dept.
  - Building Dept.
  - Engineering Dept.
  - Planning Board .
  - Fire Dept.
  - Conservation Commission

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[ ] The following people from the Town Departments listed below must also get a copy of the sign off sheets (attached)\*:

- Town Water and Sewer Dept.
- Engineering Dept. and
- Conservation Commission
- Building Dept. (**\*For Geothermal Wells** - In addition to the above, we will also need to get an approval sign off sheet back from the Building Dept.).

(\*NOTE: It is your responsibility to return these sign off sheets back to the Health Dept. stating that they have reviewed your application and have no objections). Application will not be processed without each of these returned sign off sheets.

[ ] Copy of Well Completion Report must be forwarded to Health Department as required by state law.

[ ] For Geothermal wells only – Submit a copy of your Department of Environmental Protection (DEP) underground injection control (UIC) registration (application can be downloaded from – [www.mass.gov/dep/water/approvals/dwsforms.htm#uic](http://www.mass.gov/dep/water/approvals/dwsforms.htm#uic)) and DEP well approval letter. (NOTE: These must be submitted prior to your well permit application review from the Health Department.)

**IMPORTANT:** In addition to the sign off sheets, we must also receive the form, 'Final Well Inspection by Needham Water Division – Cross Connection Control,' from the Water and Sewer Department. Once we receive this form, we can then issue you a well permit and then the well can open for use. **IMPORTANT -THIS FINAL INSPECTION FORM MUST BE SUBMITTED BEFORE A PERMIT IS ISSUED AND THE WELL CAN OPEN FOR USE.**

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Signing below states that you have read through and understand each requirement and have followed the proper steps necessary requested by the Needham Health Department prior to the installation of any well.

Date of Application \_\_\_\_/\_\_\_\_/\_\_\_\_

Signature of Applicant \_\_\_\_\_ Print Name \_\_\_\_\_

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**For BOH use:**

- [ ] \$Check (made payable to the Town of Needham/Health Department)  
[ ] Plot plan [ ] Sign off sheets (2-Water & Sewer/1-Engineering/1-Conservation Comm.)  
(NOTE: For Geothermal Wells – Also need an approval sign off sheet from the Building Dept.)

Comments: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_



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### Well Affidavit

I understand and certify that the well described in the application submitted to the Needham Health Department by

[name of Well Driller/license #] \_\_\_\_\_

is for an \_\_\_\_\_ well at [address] \_\_\_\_\_

and is not approved for use as a drinking water supply. I will not make any connection to carry water from this well to any structure serviced by the municipal water supply without (1) first disconnecting such structure from the municipal water service and (2) second, obtaining written approval from the Needham Health Department and the Needham Department of Public Works. I understand that making such a connection could contaminate public water supplies. (See attached EPA cross-connection control info. sheet.)

This well meets all setback requirements stated in the Needham Board of Health Regulations.

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Date: \_\_\_\_\_

Property owner:

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_



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### **Sign Off Sheet for Well Application for Needham Health Department–**

Town Department – Water and Sewer

I have reviewed the \_\_\_\_\_ well application for the property located at:

\_\_\_\_\_, Needham, MA \_\_\_\_\_

[ ] I have no additional comments or objections to this application;

-OR-

[ ] I have the following additional comments/concerns with this application, or I need the following additional information to be submitted to make a decision (please see explanation or additional information request below):

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**NOTE: Once the well has been drilled and ready for use, a final well inspection needs to be conducted by the Water and Sewer Dept. A final inspection sign off sheet needs to be sent to the Needham Health Dept. office, and a well permit needs to be issued, before this well can open for use.**

Name: (Sign): \_\_\_\_\_ (Print): \_\_\_\_\_

Date: \_\_\_\_\_ (Please have applicant return this signed form to the Needham Health Department.

Thank you for your time in reviewing this application.)



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### **Sign Off Sheet for Well Application for Needham Health Department–**

Town Department

I have reviewed the \_\_\_\_\_ well application for the property located at:

\_\_\_\_\_, Needham, MA \_\_\_\_\_

☐ I have no additional comments or objections to this application;

☐ A trench excavator permit is required for this well installation;

-OR-

☐ I have the following additional comments/concerns with this application, or I need the following additional information to be submitted to make a decision (please see explanation or additional information request below):

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Name: (Sign): \_\_\_\_\_ (Print): \_\_\_\_\_ Date: \_\_\_\_\_

(Please have applicant return this signed form to the Needham Health Department. Thank you for your time in reviewing this application.)



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### **Sign Off Sheet for Well Application for Needham Health Department–**

Town Department – Conservation Commission

I have reviewed the \_\_\_\_\_ well application for the property located at:

\_\_\_\_\_, Needham, MA \_\_\_\_\_

[ ] I have no additional comments or objections to this application;

-OR-

[ ] I have the following additional comments/concerns with this application, or I need the following additional information to be submitted to make a decision (please see explanation or additional information request below):

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Name: (Sign): \_\_\_\_\_ (Print): \_\_\_\_\_ Date: \_\_\_\_\_

(Please have applicant return this signed form to the Needham Health Department. Thank you for your time in reviewing this application.)



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**NOTE: USE THIS FORM ONLY IF YOU ARE INSTALLING A GEOTHERMAL WELL.**

### **Sign Off Sheet for Geothermal Well Application for Needham Health Department–**

Town Department – Building Department

I have reviewed the geothermal well application for the property located at:

\_\_\_\_\_, Needham, MA \_\_\_\_\_

[ ] I have no additional comments or objections to this application;

-OR-

[ ] I have the following additional comments/concerns with this application, or I need the following additional information to be submitted to make a decision (please see explanation or additional information request below):

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Name: (Sign): \_\_\_\_\_ (Print): \_\_\_\_\_ Date: \_\_\_\_\_

(Please have applicant return this signed form to the Needham Health Department. Thank you for your time in reviewing this application.)



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**NOTE: WE MUST RECEIVE THIS SIGNED FORM BEFORE A WELL PERMIT IS ISSUED AND THE WELL CAN OPEN FOR USE**

### **Final Well Inspection by Needham Water and Sewer Dept. – Cross Connection Control**

(To be filled out by Department representative who conducts final inspection)

Town Department – Water and Sewer

I have conducted a final \_\_\_\_\_ well inspection for the property located at:  
(type of well)

\_\_\_\_\_, Needham, MA \_\_\_\_\_

[ ] I have conducted an inspection of the well and water service at the above mentioned property and determined there is no connection to the Needham Water System. The Needham Water Division approves activation of the well. I have no objections to the issuance of the Well Permit.

-OR-

[ ] I have conducted an inspection of the well and water service at the above mentioned property. The following additional requirements must be met prior to activating the well (please see below):

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**(NOTE:** A follow-up inspection will need to be conducted once these issues are addressed.)

Name: (Sign): \_\_\_\_\_ (Print): \_\_\_\_\_ Date: \_\_\_\_\_

Inspection Date: \_\_\_\_\_

(Please have applicant return this signed form to the Needham Health Department.)





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# Cross-Connection Control: A Best Practices Guide

## Introduction

<i>Purpose</i>	This Guide discusses the importance of controlling cross-connections and preventing backflow occurrences from unprotected cross-connections in the water system.
<i>Target Audience</i>	This Guide is intended for owners and operators of all public water systems serving fewer than 10,000 persons.

## Key Cross-Connection Terms and Definitions

<i>Term</i>	<i>Definition</i>
Cross-connection	Any actual or potential connection between the public water supply and a source of contamination or pollution.
Backflow	The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable supply of water from any source or sources other than its intended source. Backsiphonage is one type of backflow.
Backpressure	Backflow that occurs when the pressure in an unprotected downstream piping system exceeds the pressure in the supply piping.
Backsiphonage	Resulting from negative pressures in the distributing pipes of a potable water supply.

## Where Can Cross-Connections Occur?

Cross-connections can occur at many points throughout a distribution system and a community's plumbing infrastructure. Cross-connections can be identified by looking for physical interconnections (or arrangements) between a customer's plumbing and the water system. Some specific examples of backflow incidents that can occur are:

- ♦ Lawn chemicals backflowing (backsiphoning) through a garden hose into indoor plumbing and potentially into the distribution system.
- ♦ Backsiphonage of "blue water" from a toilet into a building's water supply.
- ♦ Carbonated water from a restaurant's soda dispenser entering a water system due to backpressure.
- ♦ Backsiphonage of chemicals from industrial buildings into distribution system mains.
- ♦ Backflow of boiler corrosion control chemicals into an office building's water supply.



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## Cross-Connection Control and Backflow Prevention Programs

### *Why is it Important to Have a Cross-Connection Control and Backflow Prevention Program?*

Having a program in place to control cross-connections and prevent backflow is critical to ensuring the safety of the drinking water you provide to your customers:

- ◆ Cross-connections are ever-present dangers that exist in most water systems and can result in serious chemical or microbiological contamination events in drinking water systems.
- ◆ Cross-connections should be protected in order to prevent backflow, which can be hard to detect.
- ◆ In any distribution system, potential cross-connections and therefore sources of contamination can be numerous, varied, and unpredictable.
- ◆ Having these programs in place can help you avoid the costs of responding to a contamination incident.

### *What Do Cross-Connection Control and Backflow Prevention Programs Involve?*

Cross-Connection Control and Backflow Prevention Programs vary by state and municipality. For more information, talk with your state primacy drinking water program, state building code or plumbing authority, or health department. Cross-Connection Control Programs may involve:

- ◆ Authority to implement and enforce a Cross-Connection Control Program.
- ◆ Compliance with state or primacy agency plumbing and building codes or plumbing authority and local ordinances.
- ◆ Public education programs.
- ◆ Training for water system operators and other personnel on hazard surveys; cross-connection identification; and backflow device installation, testing, repair, and maintenance.
- ◆ Record keeping and reporting.
- ◆ Installation and testing of devices that prevent backflow consistent with the level of hazard.
- ◆ Periodic inspection and testing of devices by certified testers.

### *How Can I Start Implementing a Cross-Connection Control and Backflow Prevention Program?*

You are responsible for ensuring that the water you provide to customers meets all federal and state standards and that its quality is not compromised within your distribution system. Developing a comprehensive Cross-Connection Control and Backflow Prevention Program is one way to ensure the quality of your water and prevent any problems that could occur in your distribution system. If you do not already have a program in place, consider taking the following steps:

- ◆ Contact your state primacy or other agency for more information on the basic concepts of cross-connection control and backflow prevention and information on other water systems in your area that have developed a program.
- ◆ Determine if you will have to take any legal steps to establish local cross-connection control and backflow prevention ordinances, with assistance from your state and local government.
- ◆ List the goals for your program in order of priority. For example, is it more important to develop a public education campaign or to conduct a survey of backflow devices at industrial and commercial facilities served by your system?
- ◆ Develop a proposed timeline for implementing your program.
- ◆ Review the plan with your local government, state, and any other key stakeholders.
- ◆ Hold public meetings and send notices to customers to educate the community about the need for a program and how it may affect them.
- ◆ Plan to monitor your progress in implementing your program and protecting public health.
- ◆ Conduct initial hazard testing, as required.





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## How Can I Reduce and Prevent Cross-Connections?

Plumbing and Distribution System Operation Practices	<ul style="list-style-type: none"> <li>◆ Hire approved personnel for the installation of any contaminant backflow prevention devices to ensure that local codes and manufacturer's recommendations are met.</li> <li>◆ Use only assemblies or devices approved by the appropriate state or local authority.</li> <li>◆ Test all backflow prevention devices at the frequencies recommended or required by your state.</li> <li>◆ Provide backflow prevention in new construction through coordination with the local building inspector's office.</li> </ul>
Inspections	<ul style="list-style-type: none"> <li>◆ For existing buildings, develop a program in-house or with plumbing or water system personnel to inspect for the adequacy of cross-connection control. Prioritize inspections based upon the expected degree of risk.</li> <li>◆ Make sure that a backflow inspector conducts inspections for hazards to be controlled.</li> <li>◆ For both new construction and existing buildings, require continued inspection and testing of backflow devices.</li> </ul>
Fire Hydrant Connection Procedures	<ul style="list-style-type: none"> <li>◆ Ensure that construction contractors or anyone using a hydrant to fill a tank intended to carry potable water exercises safe fire hydrant connection procedures to prevent backflow.</li> </ul>

## What Technologies are Available to Control Cross-Connections and Prevent Backflow?

The type of backflow that is most likely to occur in your system (either from backpressure or backsiphonage) and the related health effects will determine which backflow prevention technology is best for your water system. The available technologies are described briefly below.

<i>Technology</i>	<i>Description</i>
Atmospheric Vacuum Breaker	<ul style="list-style-type: none"> <li>◆ Consists of float check, check seat, air inlet port, and possibly a shutoff valve immediately upstream.</li> <li>◆ Allows air to enter the downstream water connection to prevent backsiphonage.</li> <li>◆ Used for backsiphonage conditions only.</li> </ul>
Pressure Vacuum Breaker Devices	<ul style="list-style-type: none"> <li>◆ Consist of vacuum breakers with a loaded check valve and a loaded air inlet valve.</li> <li>◆ Used for backsiphonage conditions only.</li> </ul>
Double Check Valve Devices	<ul style="list-style-type: none"> <li>◆ Consist of two independently acting, tightly closing, resilient seated check valves in series with test ports.</li> <li>◆ Have tightly closing, resilient seated shutoff valves attached at each end of the assembly.</li> <li>◆ Prevent backflow under backsiphonage and backpressure conditions.</li> <li>◆ Typically approved for only low to medium hazards.</li> </ul>
Air Gaps	<ul style="list-style-type: none"> <li>◆ Physical separation between a potable water system and a receiving vessel or source of contamination.</li> <li>◆ Air gap between the outlet of the potable system and the flood level rim of the receiving vessel or any source of contamination must be at least twice as large as the diameter of the potable water outlet and never smaller than 1 inch.</li> <li>◆ May require additional pumping downstream of air gap.</li> <li>◆ Safest and simplest means under backsiphonage and backpressure conditions.</li> <li>◆ Useful for all hazard levels.</li> </ul>
Reduced Pressure Zone Backflow Devices	<ul style="list-style-type: none"> <li>◆ Similar to the double check valve devices, but also contain an independently acting pressure relief valve between the two check valves (which sits lower than the first check valve).</li> <li>◆ Protect against high water pollution hazards.</li> <li>◆ Protect against backsiphonage and backpressure.</li> </ul>



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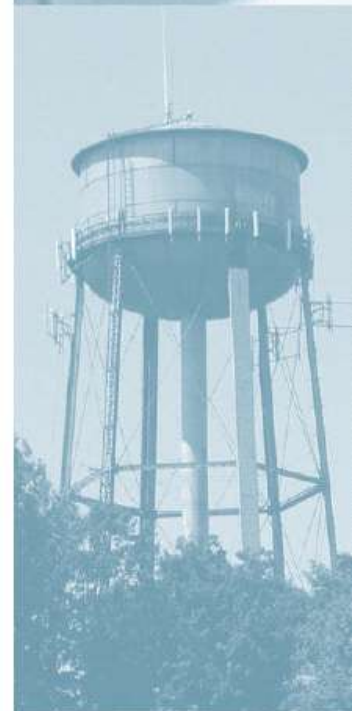


## What Should I Do in Case of a Backflow Event?

Step 1	<ul style="list-style-type: none"><li>◆ Stop the pressure differential that caused backflow of contamination, if possible.</li><li>◆ Identify and remove the cross-connection.</li></ul>
Step 2	<ul style="list-style-type: none"><li>◆ Contact appropriate state or local authorities to report the incident.</li><li>◆ In areas where public exposure to harmful contaminants is suspected, provide immediate notice to affected consumers regarding water usage and consumption and contact appropriate state or local authorities to report the incident. Public notice should explain the cause of the contamination and corrective actions that are underway and should include any appropriate health effects language.</li><li>◆ Provide updated public notification as appropriate during and after removal of contamination from the system.</li></ul>
Step 3	<ul style="list-style-type: none"><li>◆ If the contamination is limited to a small area, proceed to step 6.</li><li>◆ If the extent of the contamination is unknown or is extensive, proceed to step 4. (If sampling and testing of the water can be arranged immediately, the results could be used to determine the extent of the contaminants involved.)</li></ul>
Step 4	<ul style="list-style-type: none"><li>◆ Develop a plan for systematic cleaning or flushing of the system to minimize the risk of drawing contaminants into uncontaminated areas.</li><li>◆ The plan should indicate the amount of water and the length of time needed to completely flush the system. The direction of flow should draw clean water through the contaminated site and prevent any contaminated water from entering uncontaminated areas. Depending upon the nature of the contamination, some wastes may be discharged into the sanitary sewer system and some may need special handling or treatment.</li></ul>
Step 5	<ul style="list-style-type: none"><li>◆ Throughout the situation, continue to sample within and outside the suspected contaminated area to assess the extent of the damage. Skip step 6.</li></ul>
Step 6	<ul style="list-style-type: none"><li>◆ Perform system flushing and, where necessary, cleaning of the customer's system.</li></ul>
Step 7	<ul style="list-style-type: none"><li>◆ After flushing and any necessary cleaning, test the drinking water in affected areas to ensure the contamination has been removed.</li></ul>
Step 8	<ul style="list-style-type: none"><li>◆ Ensure that the source of contamination has been removed or that the risk of contamination has been eliminated using backflow prevention measures that meet local and state requirements.</li></ul>

### For additional information:

Call the Safe Drinking Water Hotline at 1-800-426-4791, visit the EPA Web site at [www.epa.gov/safewater/smallsys.html](http://www.epa.gov/safewater/smallsys.html), or contact your State drinking water representative.







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to any particular case when, its opinion, the enforcement thereof would do manifest injustice or conflict with the spirit of any minimum standard established by these regulations. Any variance shall, while it is in effect, be available to the public at all reasonable hours in the office of the Town Clerk, or in the office of the Board of Health.

### **Section 11.8 Enforcement and Penalties**

11.8.1 Any person who violates the terms of these regulations shall be subject to a fine of five hundred dollars \$500 per offense. Each day shall constitute a separate offense.

11.8.2 Violations of this regulation and penalties listed in Section 8.a. may be subject to non-criminal disposition, M.G.L. Chapter 40, Section 21D, and Town of Needham, General By-Laws, July 1996 compilation, Section 9.2.2.6, Board of Health Regulations, and as amended. Each day that the offense continues shall constitute a separate offense.

11.8.3 These regulations may be enforced by the Town of Needham: Board of Health director or his designee, the Fire Chief or his designee, or by the Building Inspector or his designee.

### **Section 11.9 Severability**

In the event any section, subsection or provision of the regulations are held to be invalid, it shall not effect the validity of any other section, subsection or provision thereof.

### **Section 11.10 Effective Date**

This regulation shall take effect after publication of a summary of the regulation in a newspaper published in the Town of Needham. As required by Massachusetts General Laws, Chapter 111, Section 31, an attested copy has been filed with the Department of Environmental Protection. A public hearing regarding this regulation was held on 07/20/93. This regulation was voted by a majority of the board on 07/20/93.

## **Article 12**

### **RULES AND REGULATIONS FOR THE REGISTRATION AND CONSTRUCTION OF PRIVATE WATER SUPPLIES**

The Town of Needham Board of Health hereby orders that the following regulations be and are hereby adopted this April 21, 1998 under authority of M.G.L. Chapter 111 Section 31 of the General Laws of the Commonwealth of Massachusetts.

### **SECTION 12.1. PURPOSE**



## Needham Public Health Department

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**12.1.1** The Town of Needham Board of Health (hereinafter called the Board of Health) seeks to assure that private water supplies be developed and installed so as not to contaminate the municipal water supply system, to protect aquifers within the Town and to assure that any potable well meets the requirements of the Massachusetts Drinking Water Regulations. The Board of Health also seeks to identify the location of all irrigation wells which may draw from, or alter the flow of, areas of current or future groundwater contamination.

### **SECTION 12.2. APPROVAL OF SITE**

**12.2.1** The applicant, who shall be the owner of the property where the well is located or his/her authorized agent, shall submit a plan to the Board of Health showing the location of the proposed well. Said plan shall show all lot lines, structure locations, including septic systems and underground storage tanks, roadways, drains and sewer lines, along with distances to the proposed well. The plan shall be drawn on a scale of approximately one inch equals forty feet. An application, provided by the Board of Health, shall accompany the plan.

**12.2.2** The Board of Health shall review the plan within ten working days of its receipt. If the Board of Health approves the plan, it shall issue a well permit. If it disapproves, it shall notify the applicant, in writing.

**12.2.3** A well may not be installed until a well permit has been received from the Board of Health.

**12.2.4** The Board of Health may charge a reasonable well permit fee.

**12.2.5** The well permit shall expire if a well is not installed within twelve months.

### **SECTION 12.3. REGISTRATION REQUIREMENT**

**12.3.1** Any person installing a well by digging, driving, jetting, drilling or any other method shall be registered with the Massachusetts Water Resources Commission, as required by Massachusetts General Laws, Chapter 21, Section 16, and 313 CMR 3.00.

**12.3.3** The owner of any existing potable or irrigation well or his/her agent shall register the well with the Board of Health on a form provided by the Board of Health. Failure to register the potable or irrigation well with the Board of Health shall be considered a violation of this regulation.





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**12.3.4** The Board of Health may charge a reasonable fee for the registration of any existing potable or irrigation well.

### **SECTION 12.4. PLUMBING AND CROSS CONNECTIONS**

**12.4.1** No private potable well, or its associated distribution system, shall be connected to the distribution system of the Town of Needham water supply system.

**12.4.2** Plumbing connected to any private well used for irrigation purposes shall not enter any building served by the Needham water system.

### **SECTION 12.5. LOCATION**

**12.5.1** Wells shall be located the following minimum distances from sources of contamination:

(a) property lines	5 feet
(b) roadways	25 feet
(c) leaching facilities	100 feet
(d) septic or pump tanks	50 feet
(e) underground storage tanks	100 feet
(f) building or public sewers	50 feet *
(g) subsurface drains	25 feet *

\*10 feet if well constructed of durable, corrosion-resistant material with watertight joints.

**12.5.2** In any particular case, the BOH may increase the above distances when it decides that specific conditions justify such an increase.

### **SECTION 12.6. USE AS A POTABLE WATER SUPPLY**

**12.6.1** No individual well of any type intended for use as a potable water supply shall be installed where a municipal supply of water is accessible abutting the property and where permission to connect to such a supply can be obtained from the authority having jurisdiction over it.

**12.6.2** Any private well used as a source of potable water shall meet or exceed the chemical and bacteriological requirements of the Massachusetts Drinking Water Regulations (310 CAR 22.00) Sections 22.05 through 22.08 inclusive. The water shall be analyzed by a state certified laboratory at the owner's expense, and a copy of the results submitted to the Board of Health at



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least seven days prior to the use of the supply. Thereafter, it is recommended that the well be tested annually for coliform bacteria.

**12.6.3** Water drawn from a private well shall not be used as swimming pool water unless it meets the requirements of Section 6.2 above.

### **SECTION 12.7. IRRIGATION WELLS**

**12.7.1** Irrigation wells are for the sole purpose of irrigation and shall not be deemed or used as a potable supply for human consumption. Irrigation wells shall not be connected to a dwelling. There shall be no cross connection between the irrigation well and domestic supply.

**12.7.2** Any tap, spigot or other faucet device connected to a private well shall be protected from use for drinking or other non-irrigation purposes and shall have a permanent, legible sign stating "DO NOT DRINK, FOR IRRIGATION ONLY."

### **SECTION 12.8. ABANDONMENT OF WELLS**

**12.8.1** A well which has not been used for two consecutive calendar years shall be considered abandoned. The owner of record of such well shall notify the Board of Health in writing that the well is abandoned and shall seal the well with materials which are approved by and in a manner satisfactory to the Board of Health.

### **SECTION 12.9. PENALTY**

**12.9.1** The penalty for violation of any provision of these regulations shall be a fine of not more than five hundred dollars (\$500). Each day's failure to comply with an order from the Board of Health shall constitute a separate violation of these regulations.

**12.9.2** Violations of this regulation and penalties listed in Section 8.1 may be subject to non criminal disposition, M.G.L. Chapter 40, Section 21D, and Town of Needham General Bylaws, July 1996 Compilation, Article 9, Sections 9.1 and 9.2, and as amended.

### **SECTION 12.10. VARIANCES**

**12.10.1** Variances to these regulations may be granted by the Board of Health, if in their opinion strict compliance with these regulations would do manifest injustice and the applicant proves that the same degree of protection as required under these regulations can be achieved with the variance.





## Needham Public Health Department

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**12.10.2** All requests for variances shall be in writing.

**12.10.3** Written notice of the decision of the Board of Health shall be given within ten working days of the hearing.

### **12.11 TESTING**

**12.11.1** The Board of Health may require that testing of irrigation wells for fecal and total coliform and heavy metals be conducted at the landowners expense after the well is approved and installed and at times the Board of Health feels a health hazard exists or the property on which the well is located changes ownership.

### **SECTION 12.11. SEVERABILITY**

**12.11.1** Should any provision of these regulations be ruled invalid by a competent authority, the remaining provisions shall be considered severable and remain in full force and effect.

### **SECTION 12.12. DISCLAIMER**

**12.12.1** The issuance of a well permit shall not be construed as a representation by the Board of Health or its agents that the water system will function satisfactorily, nor that the water supply will be of sufficient quality or quantity for its intended use.

### **SECTION 12.13. OTHER PERMITS**

**12.13.1** Applicants for well permits may be required to obtain plumbing and/or building permits from the Town of Needham Building Department for further guidance.

### **SECTION 12.14. EFFECTIVE DATE**

**12.14.1** These regulations become effective immediately after publication in a local news paper.

Approved by Needham Board of Health April 21, 1998  
Published in Needham Times on May 14, 1998

## **ARTICLE 13**

### **SEPARABILITY CLAUSE**

### **SECTION 13.1**

So far as the Needham Board of Health may provide, each section of its rules and regulations shall be construed as separate to the end that if any section, sentence, clause or phrase shall be held invalid for any reason, the remainder of the rules and regulations shall continue in full force.